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09/093,958	06/08/1998	JEFFREY L. KEITH	MS1-230US	7840

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EXAMINER

BOYCE, ANDRE D

ART UNIT

PAPER NUMBER

2163

DATE MAILED: 03/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/093,958

Applicant(s)

KEITH ET AL.

Examiner

Andre Boyce

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 20-23 and 36-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 20-23 and 36-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 1998 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Response to Amendment***

1. In response to Amendment B filed 1/7/02 in paper 17, the following has occurred: Claims 5-19, and 24-35 have been cancelled, and claims 1-4, 20-23, and 36-42 have been examined.

***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "26(2)" on page 6, line 16.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "28" has been used to designate both "consumer" in Figure 1, and "translator" in Figures 3 and 6 (and other areas in the specification).
4. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

5. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (see page 8, line 25). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.
6. The disclosure is objected to because of the following informalities: "200" on page 26, line 21 should be -- 220 --. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this

application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1-4, and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Haff et al, U.S. Patent No. 6,219,669.

As per claim 1, Haff et al disclose a parcel manager (main control module, see Figure 2) for managing the transfer of data from a local computer to a remote computer (file transfer system, see column 21, lines 31-35), the parcel manager being embodied on a computer readable medium (see column 21, lines 29-32), comprising an interface object (communication interface, see column 21, lines 18-22) to present an interface into the parcel manager from one or more external applications, a parcel object created via a first function presented by the interface object (graphical object, see column 22, lines 10-16), the parcel object (control module, see column 22, lines 40-45) providing functionality to place the data in one or more parcel components for transferring to the remote computer, each parcel component being particularized to contain and carry a particular type of data that was requested (file packet, see column 22, lines 34-37), and a notification object (control module, see column 22, lines 62-65) created via a second function presented by the interface object in response to a request from an external application, the notification object providing functionality to track a status of the parcel object as the parcel components are transferred to the remote computer.

As per claim 2, Haff et al disclose a parcel manager (main control module, see Figure 2) for managing the transfer of data from a local computer to a remote computer (file transfer system, see column 21, lines 31-35), the parcel manager being embodied on a computer readable medium (see column 21, lines 29-32), comprising an interface object (communication interface, see column 21, lines 18-22) to present an interface into the parcel manager from one or more external applications, a parcel object created via a first function presented by the interface object (graphical object, see column 22, lines 10-16), the parcel object (control module, see column 22, lines 40-45) providing functionality to place the data in one or more parcel components for transferring to the remote computer, each parcel component being particularized to contain and carry a particular type of data that was requested (file packet, see column 22, lines 34-37), a notification object (control module, see column 22, lines 62-65) created via a second function presented by the interface object in response to a request from an external application, the notification object providing functionality to track a status of the parcel object as the parcel components are transferred to the remote computer, and a bulletin object (event log, see column 22, lines 46-50) to update information regarding the parcel object.

As per claim 3, Haff et al disclose a parcel manager (main control module, see Figure 2) for managing the transfer of data from a local computer to a remote computer (file transfer system, see column 21, lines 31-35), the parcel manager being embodied on a computer readable medium (see column 21, lines 29-32),

comprising an interface object (communication interface, see column 21, lines 18-22) to present an interface into the parcel manager from one or more external applications, a parcel object created via a first function presented by the interface object (graphical object, see column 22, lines 10-16), the parcel object (control module, see column 22, lines 40-45) providing functionality to place the data in one or more parcel components for transferring to the remote computer, each parcel component being particularized to contain and carry a particular type of data that was requested (file packet, see column 22, lines 34-37), a notification object (control module, see column 22, lines 62-65) created via a second function presented by the interface object in response to a request from an external application, the notification object providing functionality to track a status of the parcel object as the parcel components are transferred to the remote computer, and a monitor object created by the notification object to check for presence of the parcel components. The control module inherently checks the presence of the data components prior to transmission (see column 22, lines 41-50).

As per claim 4, Haff et al disclose a parcel manager (main control module, see Figure 2) for managing the transfer of data from a local computer to a remote computer (file transfer system, see column 21, lines 31-35), the parcel manager being embodied on a computer readable medium (see column 21, lines 29-32), comprising an interface object (communication interface, see column 21, lines 18-22) to present an interface into the parcel manager from one or more external applications, a parcel object created via a first function presented by the interface

object (graphical object, see column 22, lines 10-16), the parcel object (control module, see column 22, lines 40-45) providing functionality to place the data in one or more parcel components for transferring to the remote computer, each parcel component being particularized to contain and carry a particular type of data that was requested (file packet, see column 22, lines 34-37), a notification object (control module, see column 22, lines 62-65) created via a second function presented by the interface object in response to a request from an external application, the notification object providing functionality to track a status of the parcel object as the parcel components are transferred to the remote computer, and a parcel database object (index creation, see column 38, lines 15-21) to add and retrieve information regarding the parcel object in a database.

As per claim 36, Haff et al disclose an electronic system executing on the local computer for submission of electronic data by a third party to the remote computer at a service center operated by a first party (sender designated, see column 29, lines 55-57), wherein the service center generates an electronic statement from the electronic data and electronically distributes the electronic statements to a second party on behalf of the third party (see column 29, lines 57-62), and a transfer and tracking object executing on the electronic computer system to manage the transfer of the electronic data in the one or more parcel components to the service center operated by the first party and to track status of the electronic data as it is transferred (see column 29, lines 63-67).



***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 20-23, and 37-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haff et al, in view of Kolling et al, U.S. Patent No. 5,963,925.

As per claims 20, 22, 37, 39, and 41, Haff et al do not explicitly disclose the particular type of data being (electronic) batch statement data. Kolling et al disclose electronic batch statement data sent by a biller (see column 9, lines 40-48). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include batch statement data in the Haff et al system, as seen in the Kolling et al system, thereby being able to effectively communicate the cost of services rendered (see Haff et al, column 1, lines 51-55), thus making the system more flexible in dealing with various business models (see Haff, column 47, lines 5-6).

As per claims 21, 23, 38, 40, and 42, Haff et al do not explicitly disclose the particular type of (electronic) data being selected from the group consisting of consumer information data, payment data, batch statement data, and statement template data. Kolling et al disclose electronic batch statement data sent by a biller (see column 9, lines 40-48). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include batch

statement data selected from the above group, in the Haff et al system, as seen in the Kolling et al system, thereby being able to effectively communicate the cost of services rendered (see Haff et al, column 1, lines 51-55), thus making the system more flexible in dealing with various business models (see Haff, column 47, lines 5-6).

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Flores et al, U.S. Patent No. 6,058,413 disclose a method and apparatus used to generate workflow enabled applications.

-Beach et al, U.S. Patent No. 5,924,077 disclose an electronic storage and computer system where point of sale data is transformed into a standardized configuration.

-Hilt et al, U.S. Patent No. 6,032,133 disclose a method for electronically paying a bill.

-Remington et al, U.S. Patent No. 6,070,150 disclose a bill presentment and payment system.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (703) 305-1867. The examiner can normally be reached on 8-4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications, (703) 746-7238 for After Final communications, and (703) 746-7305 for informal and/or draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



adb  
March 14, 2002



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